

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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| JPMORGAN CHASE BANK, N.A., | : | Case No. 20-CV-2162 (RRM) (JRC) |
| Plaintiff, | : | |
| against- | : | <u>ORDER OF DISCHARGE</u> |
| SYNCHRONY BANK; ELIZABETH OPTICAL, | : | |
| INC. D/B/A COHEN'S FASHION OPTICAL; | : | |
| E & A OPTICAL, INC. D/B/A COHEN'S | : | |
| FASHION OPTICAL; EDWARD GERSHOVICH; | : | |
| and MARIANA GERSHOVICH, | : | |
| Defendants. | : | |
| -----X | | |
| SYNCHRONY BANK, | : | |
| Crossclaim-Plaintiff, | : | |
| -against- | : | |
| ELIZABETH OPTICAL, INC. D/B/A COHEN'S | : | |
| FASHION OPTICAL; E & A OPTICAL, INC. | : | |
| D/B/A COHEN'S FASHION OPTICAL; | : | |
| EDWARD GERSHOVICH; MARIANA | : | |
| GERSHOVICH; and DANY KOGAN, | : | |
| Crossclaim-Defendants. | : | |
| -----X | | |

Plaintiff JPMorgan Chase Bank, N.A. ("Chase") having commenced the above-entitled action by filing a complaint on May 13, 2020, seeking a judgment resolving the defendants' competing claims to certain funds in Chase's possession pursuant to 28 U.S.C. § 1335 and Fed. R. Civ. P. 22; and

Upon Chase's motion, dated July 16, 2020 [ECF Doc. No. 15], for an order pursuant to 28 U.S.C. § 1335 and Fed. R. Civ. P. 22 and 67(a) for interpleader relief, an no opposition to Chase's motion having been filed; and

The Court having granted Chase leave to deposit the sum of \$3,990,198.35 with the Clerk of the Court by Order dated September 1, 2020; and

Chase having complied with the September 1, 2020 Order by depositing the sum of \$3,990,198.35 into the Registry of the Clerk of the Court on September 10, 2020; it is

ORDERED that plaintiff JP Morgan Chase Bank, N.A. (“Chase”) be and it is hereby discharged from any liability whatsoever relating to the funds deposited in the accounts identified in Paragraphs 13 and 20 of the Complaint (the “Accounts”), ECF Doc. No. 1, and it is further

ORDERED that all of the Defendants are perpetually enjoined and restrained from making any further claim against Chase relating to the funds deposited in the Accounts; and it is further

ORDERED that, upon Chase’s waiver thereof, Chase shall not be paid any sums from the deposit with the Clerk for counsel fees and expenses in connection with this action;

ORDERED that, this action is dismissed with prejudice as against Chase.

Dated: New York, New York

May 12, 2021

s/Roslynn R. Mauskopf

UNITED STATES DISTRICT JUDGE